

APPROVED 03/19/2009

At 6:07 pm the Board's meeting was called to order in the basement meeting room at the Fremont Town Hall at 295 Main Street. Present were Selectmen Brett Hunter, Greta St Germain, and Donald Gates Jr; MRI Representatives Scott Marsh and Joe Lessard; and Taxpayer Robert Bartley; and Town Administrator Heidi Carlson.

Carlson introduced Joe Lessard and Scott Marsh, who are with the Town's contracted assessing firm, MRI. Also present was Robert Bartley, resident and taxpayer, who has filed a 2007 appeal to the NH Board of Tax and Land Appeals (BTLA).

Carlson gave a brief introduction of the Bartley BTLA filing. Joe Lessard then explained that the property had initially been assessed as one lot and prior to the start of the 2007 tax year, a deed came in describing that the Bartley's owned two tracts, thus causing the research and separation into the two lots. Mr Bartley had appealed the increased value based on two building lots and his home, instead of the former one lot with his home.

Mr Bartley then came up to the table and brought together a sequence of events as he saw them. He thanked the Board for allowing him a delayed response to this matter. Bartley explained that he had missed the BTLA settlement information filing deadline due to several health matters of family members.

He began by saying that on 10/30/2007 he had looked at the Vision Appraisal website and it showed that he had one lot of 4.93 acres assessed at \$338,300; and when he got his 2007 tax bill, it was for two lots assessed at a total of \$432,700; and an increase of \$2,000 in tax dollars.

He said that back in 1975 when he first was a resident, he submitted a land survey, which he said was initialed and approved by the Board of Selectmen, showing two lots. He said he was told at that time by Bob Waddell and one other Selectman that the 1.39 acre lot was too small to build on. He said that he and the Town have always known it was two lots, but was never taxed as such. Carlson indicated that current Town records do not show this, and did not until the new deed came in.

He further went through a sequence of events indicating that he had many exhibits to his application, maps and other information to support his position, which MRI indicated they had reviewed.

Bartley further explained that he felt the dimensions on the house were still listed incorrectly, and this is a problem easily fixed.

Joe Lessard then presented additional information on the Town's process to date, including approving an abatement of approximately \$6,000 in value for listing corrections done based on the 2007 abatement. He reviewed the high and low contrast in value and asked Mr Bartley if he had a settlement number in mind.

After some further discussion, Bartley said if he could walk out of here for 75% of the value he would. This came to a \$1,500 figure; which Lessard said he could not recommend, and suggested that \$1,000 was about the max of what he would recommend.

Gates asked him for the plan that was signed, and produced one signed in 1973 by Elmer Schram, who was at the time on the Fremont Planning Board. Mr Bartley said he was asking for the Board's consideration because he was under the understanding that it was to be considered one lot (and it had for all but one tax year of the past 25+ years.

After further discussion, Gates moved to settle the 2007 tax appeal in the amount of \$1,150 final payment with no interest attached. Hunter seconded and the vote was approved unanimously 3-0 with Bartley agreeing to this figure.

Lessard had the BTLA Settlement Agreement document and it was signed by Selectmen St Germain and Gates as well as Mr Bartley. Carlson will send a letter to accompany the agreement to the BTLA and copy all documents to Bartley. Once signed tonight, a copy of the agreement was made for Mr Bartley.

Bartley then referred to an August 22, 2008 check from the Town for \$138 which was the refund on his initial 2007 abatement filing. He said he had not cashed the check because he thought it meant he agreed with the Town; and had not called in the months following to inquire about it. He said that the health and family issues over the past year had prohibited him from tending to this question, and now the check is stale.

Carlson indicated the Bank's policy of Town checks being good for only 6 months and did not know if she could do anything with the check. She indicated she would check with the Treasurer and get back to Bartley. This would be done independently of the agreed \$1,150 refund to be processed, which can be done next week.

Bartley thanked the Board for their time and consideration and he left the meeting at 6:55 pm.

At that time, Joe Lessard came to the table, as MRI had scheduled time this evening to also discuss their services and the pending revaluation/recertification services for this year.

Lessard said that the Town's contract with MRI indicates that they meet with the Selectmen in the first quarter of 2009 to discuss the services in a revaluation year.

He went on to discuss the many laws and rules related to revaluation/recertification including the NH Constitution and the Statutes along with the Assessing Standards Board (ASB) Rules. He said the Town must perform these services and have new values for the mandated every fifth year.

He said the legislation and ASB and Department of Revenue Administration (DRA) laws and rules have changed stemming from the Claremont lawsuit and the Sirrell decision. He said that the ASB has established guidelines that need to be met and that the Constitution states the Town must have new values every five years.

He went on to say that if you meet the guidelines you may not have to do an update, but that all of the ratio study information must be reviewed and determined to be in compliance.

This led him in to a review of the 2008 ratio study, which recently was returned to the Town at 104.6%. He reviewed the statistics involved with that review and said that at this time, the Town is in compliance. He further stated that in reviewing sales for the past few months, that by the next time the ratio study is done (October 1, 2008 through September 30, 2009) that the ratio will be much higher.

He said that in theory this means we are currently assessing at 4.6% above what property is worth. This is fully acceptable so long as all properties are assessed equally within the Town. He said at least every five years we need to be between the 90 and 110% value analysis. He said the real task is how close to 104.6% are we across the Board. He said with the lower amount of sales, it makes it more difficult to get a good sampling.

There was discussion about the fact that the recertification proposed on the 2009 warrant was voted down, despite the fact that this will not be at any current cost to the taxpayers as the funding was all in capital reserve. Waiting means that the process will cost taxpayers more when it is done, and that we run the risk of being ordered to do a revaluation by the NH Board of Tax and Land Appeals, and an ordered one will have to meet certain additional requirements and certainly cost more money because it is overseen by the BTLA in addition to DRA.

Lessard said there are five criteria that the Board will look at when looking at ordering a town to do a revaluation; two of which include how good the statistics are now; and how long it has been since the last one. He said that in the past they have not forced towns when it has been 10 years or more, but that the BTLA has have not had a decision since the 5 year requirement was put into the Statute and Constitution. He said they could force the Town to do it even if there are good statistics.

This is obviously something the Town will need to remain focused on.

Lessard and Marsh left the meeting at approximately 7:30 pm.

Board reorganization was discussed but not voted. Gates did offer to remain as the Selectmen's representative to the Budget Committee. St Germain offered to be a liaison to the School Board, which the Board thought was a good idea given the current economic conditions and expressed concern about the melding of town and school issues. Hunter said he could do the Planning Board seat.

Carlson indicated that Department Heads Neal Janvrin and Rich Butler were not here this evening as it is both of their birthdays. Both have items to discuss with the Board regarding Town Meeting votes and budgeting and will soon be scheduling additional time.

OLD BUSINESS

1. Selectmen reviewed the minutes for 04 March 2009 and 10 March 2009. Motion was made by Hunter to approve the minutes for 04 March 2009. Gates seconded and the vote was approved. Gates then moved to accept the minutes of 10 March 2009. Hunter seconded and the vote was approved.

2. Selectmen spent a good deal of time reviewing the various Town Meeting results. There was discussion about the default budget and how line items would be allocated for operating expenses in 2009. Carlson has begun working on the spreadsheets and has been talking with Departments about line items.

Selectmen would like to start meeting with Departments on a weekly basis as soon as possible to start working on budget issues and any line item transfers that are necessary.

Carlson indicated that Chief Butler is coming in next week to meet with the Board on another matter.

The Board discussed a need for some changes in operating budget procedures and that all Town departments were going to have to be involved in the process to have the least impact to Town services.

The Board then discussed the acceptance of roadways. Two roads had been proposed for acceptance and were voted down at Town Meeting. There was discussion about the Selectmen's authority to accept roadways, and a discussion about policy changes to affect the way that is done. The Board expressed concern about the process that developers had gone through to have roads accepted and that there was a perception that once the process is completed as per the Town specifications, that roads would be accepted by the Town.

The Board questioned whether developers come back on the Town and what ramifications that would have. Carlson will look in to this matter in statute and see about getting some legal advice.

The Board discussed how to proceed with the repairs on North Road and another follow-up letter will be sent to Don Penland with copies to Guerwood's insurance company and the Miller's insurance company.

3. There was a brief discussion about the inclusion of part-time employees for disability insurances. This has been studied, and quote information reveals that including part-time employees raises the Town's cost for all other employees currently covered (which are town-paid premiums). Carlson said she had been asked about this again and would try and put together a matrix to figure out all of the costs, including the increased cost for the Town, and the amounts for any part-time employees who wanted to buy-in. Given the default budget, which was based on the single category enrollment, there may not be enough to cover the difference.

NEW BUSINESS

1. Selectmen reviewed the accounts payable manifest \$1,036,942.42 for the current week. Hunter moved to approve the accounts payable manifest in the amount of \$1,036,942.42 dated 13 March 2009. St Germain seconded and the vote was approved 3-0.

2. Selectmen reviewed the folder of incoming correspondence. St Germain asked some questions about items and there was time spent discussing the different articles.

3. There was no outgoing correspondence.

4. Selectmen talked briefly about designating Thom Roy as a Selectmen's Alternate Representative to the Planning Board; which was brought up by Planner David West for consideration to assist the Board in having a quorum. The statute research done today was not clear in how that would work. Meredith Bolduc has asked to have a Selectman at the Planning Board meeting of March 18th so that they will have a quorum. Hunter committed to this but was unsure how long he could be there. That meeting begins at 7:00 pm.

More review will be done about alternates for the Planning Board. There is a continued need for help on the Planning Board as they are down to only a quorum of members. **More help from the community is needed.**

There was a lengthy discussion about processes in Fremont and how certain things are done. St Germain relayed several items that had been brought to her attention on voting day and the wide variety of issues and concerns that she heard from voters.

There was discussion about how budgets would be apportioned and a real need for the Town to tighten their belt to get the most pressing things accomplished. Carlson said that furloughs had been discussed and were being used in other towns and states. Carlson offered to do that as a first step, if such things would help the budget. St Germain said that everyone would need to help get through this, and stressed the need for people to become more involved as well as to learn more about where to go to ask questions or get help.

5. Carlson will send an email to the School Board Chair to let them know about Greta's participation in Board meetings.

NEXT WEEK

The next regular Board meeting will be held on Thursday March 19, 2009 at 6:00 pm.

With no further business to come before the Board, motion was made to adjourn the meeting at 9:20 pm by St Germain. Hunter seconded and the vote was unanimously approved 3-0.

Respectfully submitted,

Heidi Carlson
Town Administrator